

AUSA: Lauren E. Phillips

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

SONY ESTEVEZ PIMENTEL,
a/k/a "Sony Estevez,"
a/k/a "Sony Aestevez Pimentel,"

Defendant.

24 MAG 3217

COMPLAINT

Violations of 18 U.S.C. §§ 922(o) and 2

COUNTY OF OFFENSE:
BRONX

SOUTHERN DISTRICT OF NEW YORK, ss.:

Joshua M. Urban, being duly sworn, deposes and says that he is a Special Agent with the U.S. Department of Homeland Security, Homeland Security Investigations ("HSI"), and charges as follows:

COUNT ONE

(Possession or Transfer of a Machinegun)

1. On or about September 3, 2024, in the Southern District of New York and elsewhere, SONY ESTEVEZ PIMENTEL, a/k/a "Sony Estevez," a/k/a "Sony Aestevez Pimentel," the defendant, knowingly possessed and transferred a machinegun, and aided and abetted the possession and transfer of a machine gun, to wit, ESTEVEZ PIMENTEL retrieved from a United States Post Office in the Bronx, New York, a package that he identified as intended for him, addressed to premises where he is known to reside, containing two auto sears, parts designed and intended solely and exclusively, and a combination of parts designed and intended, for use in converting a weapon into a machinegun.

(Title 18, United States Code, Sections 922(o) and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

2. I am a Special Agent with the U.S. Department of Homeland Security, Homeland Security Investigations ("HSI"), and have been since approximately 2021. In this capacity, I am responsible for conducting and assisting investigations into the unlawful distribution and possession of firearms. As a result of my training and experience, I am familiar with the techniques and methods of operation used by individuals involved in criminal activity to conceal their activities from detection by law enforcement authorities.

3. This affidavit is based upon my personal participation in the investigation of this matter, as well as my conversations with other law enforcement officers and my examination of documents, reports, and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts I have learned during the investigation. Where the contents of documents or the actions, statements, or conversations of

others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Background and Terminology

4. Based on my experience and training, I am aware of, among other things, the following about the use of component parts and materials to convert semi-automatic firearms into fully automatic machineguns:

a. Title 18, United States Code, Section 922(o), makes it illegal to transfer or possess a machinegun as that term is defined in the National Firearms Act ("NFA"). *See* 18 U.S.C. §§ 921(a)(24), 922(o).

b. The NFA defines a machinegun as "any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot without manual reloading, by a single function of the trigger." 26 U.S.C. § 5845(b). The NFA also incorporates into the definition of machinegun "any part designed and intended solely and exclusively or combination of parts designed and intended for use in converting a weapon into a machinegun." *Id.*

c. Semi-automatic firearms are designed such that a user must depress the trigger each time the user intends to discharge a round of ammunition and cause the firearm to cycle.

d. An auto sear is a machine gun conversion device, sometimes referred to as a "switch," used to circumvent the pistol's intended cycle, thus turning the pistol into a fully automatic weapon. Depressing and holding down the trigger once will discharge all the ammunition that is available in the magazine of a pistol. An auto sear can make a pistol capable of firing approximately 600 to 1200 rounds per minute.

e. Pursuant to the NFA, an auto sear is a machinegun as it is a part designed and intended solely for use in converting a semi-automatic pistol into a fully automatic machinegun.

Seizure of the Auto Sear

5. Based on my involvement in this investigation, including my conversations with other law enforcement officers, review of documents and communications, and participation in the arrest of SONY ESTEVEZ PIMENTEL, a/k/a "Sony Estevez," a/k/a "Sony Aestevez Pimentel," the defendant, and search of ESTEVEZ PIMENTEL's residence discussed below, I have learned the following, in substance and in part:

a. On or about August 15, 2024, while conducting examinations of inbound packages, Customs and Border Protection ("CBP") Officers at the John F. Kennedy International Mail Facility intercepted a package containing two auto sears concealed in a bag of screws (the "Package"). The package was mailed from an address in China and addressed to "Jay Hills" at an address in the Bronx, which, as described further below, was determined to be an address associated with ESTEVEZ PIMENTEL (the "Apartment").

b. The Package contained two Glock auto sears, composed of three component parts each, which I know based on my training and experience are designed to convert a semi-automatic Glock pistol into a fully automatic weapon. Images of the Glock auto sears, as concealed among a package of screws, and the Glock auto sears alone are below as Images 1 and 2, respectively.



Image 1



Image 2

Attempted Controlled Delivery and Pickup

c. On or about August 28, 2024, agents from HSI and the United States Postal Service (“USPS”) attempted to conduct a controlled delivery of the Package to the Apartment but were unsuccessful. Agents left a note purportedly from USPS on the door of the Apartment. That note indicated that the delivery was unsuccessful and instructed the intended recipient to call a number (“the USPS Phone Number”) to receive instructions to obtain the Package.

d. On or about August 29, 2024, a man called the USPS Phone Number claiming to be “Jay Estevez” and identifying himself as the intended recipient of the Package. Agents arranged for “Jay Estevez” to pick up the Package at a post office in the Bronx (the “Post Office”).

e. On or about August 30, 2024, the Honorable Stewart D. Aaron, United States Magistrate Judge, Southern District of New York, issued a warrant to search the Apartment (the “Warrant”).

f. On or about September 3, 2024, ESTEVEZ PIMENTEL arrived at the Post Office, identified himself as “Jay Estevez” to an undercover law enforcement agent, who was posing as an employee of the Post Office, and claimed the Package as his. When ESTEVEZ PIMENTEL left the Post Office with the Package, law enforcement agents detained him. ESTEVEZ PIMENTEL subsequently confirmed to the agents that his name, in fact, was “Sony Estevez Pimentel.” Agents seized from his person identification in the name of “Sony Estevez Pimentel” and mail addressed to “Sony Estevez” at the Apartment.

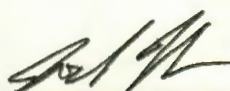
Search of the Apartment

g. On or about September 3, 2024, law enforcement agents executed the Warrant and searched the Apartment. Agents identified a bedroom in the Apartment they believe belongs to ESTEVEZ PIMENTEL containing identification in the name of “Sony Estevez,” a debit card in the name of “Sony Estevez,” a checkbook listing the payor information as “Sony Estevez Pimentel” at the Apartment’s address, and a photograph of an individual consistent in appearance with ESTEVEZ PIMENTEL. That bedroom contained a Glock-type firearm, a 50-round drum magazine, approximately 208 rounds of ammunition, and springs and tools that, based on my training and experience, I know are used to alter firearms, such as to attach an auto sear to a semi-automatic firearm to convert it into a fully automatic machinegun. A photo of some of the items seized during the search is below as Image 3.



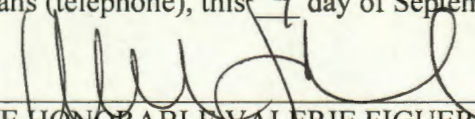
Image 3

WHEREFORE, I respectfully request that SONY ESTEVEZ PIMENTEL, a/k/a "Sony Estevez," a/k/a "Sony Aestevez Pimentel," the defendant, be imprisoned or bailed, as the case may be.



Joshua M. Urban
Special Agent
U.S. Department of Homeland Security, Homeland
Security Investigations

Sworn to me through the transmission of
this Complaint by reliable electronic
means (telephone), this 4 day of September, 2024.



THE HONORABLE VALERIE FIGUEREDO
United States Magistrate Judge
Southern District of New York